IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 1264/2005

PETITIONER

Gopal Lal Chandrakar, aged about 62 years, son of Shri Ghansiram, resident of – Teachers Colony, Tilda, Distt. Raipur (C.G.)

VERSUS

RESPONDENTS

1. The Chief Executive Officer, Janpad Panchayat – Simga, Distt. Raipur (Chhattisgarh)

2. The Chief Executive Officer, Zila Panchayat – Raipur, Distt. Raipur (Chhattisgarh).

3. The State of Chhattisgarh, through – the Secretary, Department of Panchayat, Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh)

P.R. No. 1246/05
Presented by Shri S.K. Sahu
dated 22/03/05

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA,

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP/1264/05 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20.4.2005

On a mention being made, the matter is taken up for hearing.

Mr. P.P. Sahu, counsel for the petitioner.

Mr. Akhil Agrawal, Panel Lawyer for the State.

Respondent No.1-Mr. A.P. Shandilya, Chief Executive Officer, Janpad Panchayat-Simga, District Raipur is also present in person.

Heard.

The petitioner has preferred this writ petition being aggrieved by the action of the respondent authorities in not making payment of GPF amount and also 50% amount of Gratuity.

Mr. Shandilya submits that a criminal case is pending against the petitioner for embezzlement of government money i.e. Rs.66,000/-, which was given to the petitioner for disbursement of the same to the labourers. The petitioner has embezzled the said amount by preparing fake and forged documents. On coming to light, a criminal case has been registered against the petitioner and after investigation charge sheet has also been filed before the concerned Judicial Magistrate First Class. Therefore, an amount of Rs.66,000/- is due against the petitioner and that is why the GPF amount and 50% amount of Gratuity i.e. Rs.72,000/- is not being paid to him.

Learned counsel for the petitioner submits that after retaining Rs.66,000/- G.P.F. amount may be directed to be released in favour of the petitioner.

In view of the above submission made by learned counsel for the petitioner, the respondents are directed to pay the whole GPF

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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	amount to the petitioner. However, they are entitled to retain the remaining Gratuity amount till the decision of the criminal case pending against the petitioner. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.1006/05 & I.A. No.2449/05 also stands disposed of. Certified copy as per rules. **Sd/-** **L.C. Bhadoo** **Judge**	